

Notice of Allowability

Application No.

09/890,844

Examiner

Gregory F. Cunningham

Applicant(s)

KANAI ET AL.

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 4/15/2005.
2. ☒ The allowed claim(s) is/are 1-11 and 18.
3. ☒ The drawings filed on 04 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

1. This action is responsive to amendment filed 4/15/2005.
2. The disposition of the claims is as follows: claims 1-52 are pending in the application. Claims 1, 6, 12, 15, 18-20, 29, 37 and 45 are independent claims. Claims 12-17 and 19-52 have been cancelled.

Claim Rejections - 35 USC § 102

3. In view of amended and cancelled claims and review of cited references, 102 rejections are withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Pedro Fernandez (Registration Number 41,741) on 5/31/2005.

The application has been amended as follows:

In claim 1, line 6, changed from, "arrayed text, the method comprising the steps of:" to now read, "arrayed text, the method comprising the automated steps of:";

In claim 6, line 6, change from, "arrayed text, the apparatus comprising:" to now read "arrayed text, the automated apparatus comprising:"; and

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In claim 18, line 7, change from, "the program including the steps of:" to now read "the program including the automated steps of:".

Allowable Subject Matter

5. Claims 1-11 and 18 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claims 1, 6 and 18 stand novel over the related prior art. For instance, while the related art of 'Mastering Excel 97' does perform placement for WordArt objects into the worksheet, where one can move, resize, and format it just like any other object, 'Excel' does not automatically process a display of a plurality of objects within an electronic structured document that enables command text to be used by a user to switch between a vertically-arrayed text and a horizontally-arrayed text as detailed by independent claims 1, 6 and 18.

Therefore as claimed by the combined elements of amended independent claims 1, 6 and 18, the cited references and prior art of record lack separately and in combination the elements of amended claims. Claims 2-5 and 7-11 depend from allowable independent claims 1 and 6 and therefore are also allowed.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Responses

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory F. Cunningham Examiner Art
Unit 2676

gfc

5/31/2005



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SUPERVISORY PATENT EXAMINER
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